

EXHIBIT N

Transcript of Atif Khalil
Conducted on March 27, 2018

1 (1 to 4)

1	3																																
<p>IN THE UNITED STATES DISTRICT COURT OR THE EASTERN DISTRICT OF VIRGINIA ALEXANDRIA DIVISION</p> <p>UNITED STATES EQUAL : EMPLOYMENT OPPORTUNITY : COMMISSION, : Plaintiff, : Case No. 17 cv 0084 v. : CAMBER CORPORATION, : Defendant. : x</p> <p>Oral Deposition of ATI KHALIL Tysons Corner, Virginia Tuesday, March 27, 2018 9:27 a.m.</p> <p>Job No.: 79322 Pages: 74 Reported By: Rebecca Stonestreet</p>	<p style="text-align: center;">A P P E A R A N C E S</p> <p>ON BEHAL OF PLAINTIFF : JEFFREY A. STERN, ESQUIRE U.S. EQUAL EMPLOYMENT OPPORTUNITY COMMISSION Cleveland Field Office AJC Building 240 East Ninth Street Suite 300 Cleveland, Ohio 44199 (216) 522-7458</p> <p>ON BEHAL OF DEFENDANT: ROBERT L. (BOB) ORTBALS, JR., ESQUIRE CONSTANGY, BROOKS, SMITH & PROPHETE, LLP 7733 Orsyth Boulevard Suite 325 St. Louis, Missouri 63105 (314) 925-7270</p>																																
2	4																																
<p>Oral Deposition of ATI KHALIL, held at the offices of:</p> <p>PLANET DEPOS TYSONS CORNER 8270 Greensboro Drive Suite 0 Tysons Corner, Virginia 22002 (888) 433-3767</p> <p>Pursuant to notice, before Rebecca Stonestreet, Notary Public in and for the Commonwealth of Virginia.</p>	<p style="text-align: center;">C O N T E N T S</p> <table> <tr> <td>EXAMINATION OF ATI KHALIL</td><td style="text-align: right;">PAGE</td></tr> <tr> <td>By Mr. Stern</td><td style="text-align: right;">7</td></tr> </table> <p style="text-align: center;">E X H I B I T S (Attached to transcript.)</p> <table> <tr> <td>KHALIL DEPOSITION EXHIBITS</td><td style="text-align: right;">PAGE</td></tr> <tr> <td>Exhibit Ashok Pai Chain of Command</td><td style="text-align: right;">25</td></tr> <tr> <td>Exhibit 2 Document Bates labeled</td><td></td></tr> <tr> <td>CAMBER 000099</td><td style="text-align: right;">38</td></tr> <tr> <td>Exhibit 3 E mail dated 9/8/14 from</td><td></td></tr> <tr> <td>Ashok Pai to Atif Khalil</td><td style="text-align: right;">52</td></tr> <tr> <td>Exhibit 4 E mail dated 9/8/14 from</td><td></td></tr> <tr> <td>Ashok Pai to Atif Khalil</td><td style="text-align: right;">58</td></tr> <tr> <td>Exhibit 5 E mail string</td><td style="text-align: right;">65</td></tr> <tr> <td>Exhibit 6 E mail dated 9/9/14</td><td></td></tr> <tr> <td>with attachment</td><td style="text-align: right;">69</td></tr> <tr> <td>Exhibit 7 E mail dated 9/16/14</td><td></td></tr> <tr> <td>with attachment</td><td style="text-align: right;">77</td></tr> <tr> <td>Exhibit 8 E mail string</td><td style="text-align: right;">84</td></tr> </table>	EXAMINATION OF ATI KHALIL	PAGE	By Mr. Stern	7	KHALIL DEPOSITION EXHIBITS	PAGE	Exhibit Ashok Pai Chain of Command	25	Exhibit 2 Document Bates labeled		CAMBER 000099	38	Exhibit 3 E mail dated 9/8/14 from		Ashok Pai to Atif Khalil	52	Exhibit 4 E mail dated 9/8/14 from		Ashok Pai to Atif Khalil	58	Exhibit 5 E mail string	65	Exhibit 6 E mail dated 9/9/14		with attachment	69	Exhibit 7 E mail dated 9/16/14		with attachment	77	Exhibit 8 E mail string	84
EXAMINATION OF ATI KHALIL	PAGE																																
By Mr. Stern	7																																
KHALIL DEPOSITION EXHIBITS	PAGE																																
Exhibit Ashok Pai Chain of Command	25																																
Exhibit 2 Document Bates labeled																																	
CAMBER 000099	38																																
Exhibit 3 E mail dated 9/8/14 from																																	
Ashok Pai to Atif Khalil	52																																
Exhibit 4 E mail dated 9/8/14 from																																	
Ashok Pai to Atif Khalil	58																																
Exhibit 5 E mail string	65																																
Exhibit 6 E mail dated 9/9/14																																	
with attachment	69																																
Exhibit 7 E mail dated 9/16/14																																	
with attachment	77																																
Exhibit 8 E mail string	84																																

Transcript of Atif Khalil
Conducted on March 27, 2018

2 (5 to 8)

<p style="text-align: center;">5</p> <p style="text-align: center;">E X H I B I T S C O N T I N U E D</p> <p>2</p> <p>3 KHALIL DEPOSITION EXHIBITS PAGE</p> <p>4 Exhibit 9 E mail string 90</p> <p>5 Exhibit 0 E mail string 93</p> <p>6 Exhibit E mail dated 9/23/ 4</p> <p>7 with attachment 97</p> <p>8 Exhibit 2 E mail dated 9/30/ 4</p> <p>9 with attachment 02</p> <p>0 Exhibit 3 E mail string 04</p> <p>Exhibit 4 E mail string 2</p> <p>2 Exhibit 5 E mail dated 0/7/ 4</p> <p>3 with attachment 24</p> <p>4 Exhibit 6 E mail dated 0/ 4/ 4</p> <p>5 with attachment 25</p> <p>6 Exhibit 7 E mail dated 0/2 / 4</p> <p>7 with attachment 25</p> <p>8 Exhibit 8 E mail string 27</p> <p>9 Exhibit 9 Letter dated 0/ 7/ 4 from</p> <p>20 Michael Paige to Ashok Pai 29</p> <p>2 Exhibit 20 E mail dated 0/28/ 4</p> <p>22 with attachment 34</p>	<p style="text-align: center;">7</p> <p style="text-align: center;">P R O C E E D I N G S</p> <p>1</p> <p>2 (ATIF KHALIL, having been duly sworn, testified as</p> <p>3 follows:)</p> <p>4 EXAMINATION BY COUNSEL FOR PLAINTIFF</p> <p>5 BY MR. STERN:</p> <p>6 Q Good morning, Mr. Khalil. My name is</p> <p>7 Jeffrey Stern. I represent the plaintiff in this</p> <p>8 case, the United States Equal Opportunity</p> <p>9 Commission.</p> <p>10 MR. STERN: Counsel, if you could identify</p> <p>11 yourself on the record.</p> <p>12 MR. ORTBALS: Bob Ortvals for Defendant</p> <p>13 Camber.</p> <p>14 Q And could you please state and spell your</p> <p>15 full name?</p> <p>16 A Sure. Atif Khalil. First name is</p> <p>17 A-T-I-F, last name is K-H-A-L-I-L.</p> <p>18 Q Mr. Khalil, have you ever given a</p> <p>19 deposition before?</p> <p>20 A Nope.</p> <p>21 Q A deposition is somewhat like a court</p> <p>22 hearing. Attorneys ask questions. Unlike a court</p>
<p style="text-align: center;">6</p> <p style="text-align: center;">E X H I B I T S C O N T I N U E D</p> <p>2</p> <p>3 KHALIL DEPOSITION EXHIBITS PAGE</p> <p>4 Exhibit 2 E mail dated /4/ 4</p> <p>5 with attachment 38</p> <p>6 Exhibit 22 E mail dated 2/ 6/ 4</p> <p>7 with attachment 39</p> <p>8 Exhibit 23 E mail dated 2/23/ 4</p> <p>9 with attachment 4</p> <p>0 Exhibit 24 E mail dated 4/28/ 5</p> <p>with attachment 42</p> <p>2 Exhibit 25 E mail string 44</p> <p>3 Exhibit 26 E mail string 45</p> <p>4 Exhibit 27 Requisition for</p> <p>5 Senior .NET Developer 988 49</p> <p>6</p> <p>7</p> <p>8</p> <p>9</p> <p>20</p> <p>2</p> <p>22</p>	<p style="text-align: center;">8</p> <p>1 hearing, there's no judge or jury present here,</p> <p>2 which means that all questions asked have to be</p> <p>3 answered even if there are objections and</p> <p>4 arguments of counsel. There's no judge to rule on</p> <p>5 those, so the objections are made for the record.</p> <p>6 Do you understand that you have to answer</p> <p>7 questions that are asked?</p> <p>8 A Okay.</p> <p>9 Q The record today is stenographic, the</p> <p>10 reporter writing down what everyone here says. If</p> <p>11 you provide an answer that is not verbal, not in</p> <p>12 words, it doesn't read very well on a transcript.</p> <p>13 So I'll do my best if I see you nodding or saying</p> <p>14 uh-huh, to ask you what the answer is in words.</p> <p>15 A Okay. Understood.</p> <p>16 Q In the event you need to take a break,</p> <p>17 we're certainly willing to do that. There will</p> <p>18 probably be a number of breaks. Generally,</p> <p>19 though, we don't have breaks if there's a pending</p> <p>20 question, a question on the table that's been</p> <p>21 asked that hasn't been answered.</p> <p>22 A Okay.</p>

Transcript of Atif Khalil
Conducted on March 27, 2018

10 (37 to 40)

37	<p>1 know, related to my previous employer/employment, 2 called in for a deposition; I'll need some time 3 off. She offered if I -- you know, she needed to 4 see if they could cover my time so I don't have to 5 take vacation time; I told them not to worry about 6 it, just giving them a heads-up. 7 Q Anyone else that we have not yet 8 discussed? 9 A So I have -- so Joseph Zimmerman is my 10 current supervisor, but we have a new hire that's 11 going to be my new supervisor, Matthew House, so I 12 mentioned it to him also. 13 Q When did you mention it to Mr. House? 14 A Along the same, within the last ten days, 15 a week or ten days ago. 16 Q Mr. Zimmerman and Mr. House, are they both 17 in the same facility that you're working in? 18 A Yes. 19 Q These were, then, face-to-face tellings? 20 A Yes. 21 Q Neither of them asked you any questions 22 about it?</p>	39	<p>1 here. 2 Q Yes, there is. The one that has a sticker 3 on it is an 8 and a 1/2 by 11. The second page is 4 a somewhat larger version so the Camber 99 label 5 has disappeared off the edge. I'll ask you a few 6 questions about this, and it may be that the 7 enlarged version will be easier to read. It 8 certainly is easier for me to read. I'm sorry we 9 couldn't make a larger blowup here this morning, 10 but that's the best that I have. 11 The first question, let me understand 12 here -- hold on. I think we have it. About ten 13 columns over from the left-hand margin, there's a 14 column that says "Home Org" at the top. 15 A Okay. 16 Q And there's a series of numbers, each 17 associated with a row for someone's name. What's 18 your understanding of what your home org numbers 19 were on the EOIR project? What I'm seeing here 20 is, it looks like a series of numbers and 21 decimals; they all appear to start with 01 and 22 then .01, .01, .02, and then the three digits on</p>
38	<p>1 A No. I mean, they don't know anything 2 about it or... 3 Q And you did not illuminate them -- 4 A No. 5 Q -- on anything about it? 6 A No. 7 MR. STERN: The next document I'm going to 8 hand to the court reporter will be a two-page 9 document, the top of which is labeled 10 Camber 000099, an 8-and-a-1/2-by-11 version, and a 11 somewhat larger version. After it's been 12 marked, we'll talk about it. 13 Let's go ahead and do that. 14 (KHALIL Exhibit 2 was marked for 15 identification and attached to the transcript.) 16 Q And after you've just looked very quickly 17 at the first page, the one that has the orange 18 sticker on it, if you could please let Bob look at 19 that. 20 A Okay. 21 Q You've looked at both pages? 22 A Yeah, quickly. There's a lot of detail</p>	40	<p>1 the right seem to vary between 263, 270, and so 2 on. 3 So what's your understanding of the home 4 org's on the EOIR project? 5 A It's some internal tracking number. I 6 can't tell you the difference between the 263 and 7 the 270 designation. 8 Q And I think -- I'm sure you told me when 9 you left Camber. What was that date and year 10 again? 11 A January 2017. 12 Q 2017, okay. Got it. 13 A Right. 14 Q Let me start by asking you whether the 15 individuals whose employee names are in that 16 second column, whether they are all known to you 17 as having worked on the EOIR project while you 18 were the director or project manager on it. And I 19 realize there's quite a few names there, but I'm 20 wondering if you can tell me whether each of them 21 worked on the project. 22 I'll represent that the origin of this</p>

Transcript of Atif Khalil
Conducted on March 27, 2018

11 (41 to 44)

<p style="text-align: right;">4</p> <p>1 document was represented as persons who did so, 2 but you would know. 3 A Sure. So just go down the list in the 4 second column? 5 Q Yes. Are any of those people on that list 6 unknown to you, didn't work at EOIR? 7 A So I do recognize most names. A couple of 8 names that I can't recall. 9 Q What's the first one you don't recall? 10 A Sergey Goryestov. 11 Q Okay. That's towards the bottom there, 12 left-hand column, employee number 8421? 13 A Yeah. And it's likely -- it's quite 14 possible that I just forgot. And the only other 15 name I think is the second to the last, Kelly 16 Steigerwald. It's quite possible that I just 17 forgot their name, forgot them; they weren't there 18 for too long or something. 19 Q Is there anyone that you recall being on 20 the project whose name is not on this list, the 21 backside of that one? 22 A I couldn't tell you off the top of my</p>	<p style="text-align: right;">43</p> <p>1 employees that you don't recall other than those 2 two? 3 A So Daniel Kovarik, like towards -- the 4 sixth or so from the bottom. I think I recognize 5 everybody else. And it's quite possible that I 6 know them, I've just forgotten their names. 7 Q Understood. A couple of columns to the 8 right of the "Supervisor" column is a column, 9 header "Type," populated, it looks like, by Rs and 10 a couple of Ps. Do you know what R and P mean? 11 A No. 12 Q Now, Mr. Pai that we have been discussing 13 is towards the top here. It looks like, what, 14 about ten names down, nine or ten? 15 A Uh-huh. 16 Q Yes? 17 A Yes. 18 Q Employee ID 8197 on the left side? 19 A Uh-huh. Yes. 20 Q Surname Pai, Ashok K.? 21 A Correct. 22 Q His hire date is listed 3/31/14, yes?</p>
<p style="text-align: right;">42</p> <p>1 head. 2 Q Is there anything on this document, this 3 exhibit, that informs whether any of these 4 individuals are W-2 employees or the 5 subcontractors you had described generally? 6 A Not that I can think of. 7 Q Let's try it this way. Is there any name 8 example - you don't even have to look at the chart 9 on this one - of a subcontractor employee that you 10 had generally mentioned earlier? 11 A I would have to go back and look at my -- 12 you know, the org chart or something to...I can't 13 recall a specific name. There were so many people 14 over so many years. 15 Q The column to the right of the second 16 salary column towards the middle there, there's 17 something called GLC. Do you know what that is? 18 A Labor category. I don't readily recognize 19 the information there. 20 Q Other than Sergey Goryestov and 21 Kelly Steigerwald that you had mentioned you 22 didn't recall, is there anything on the list, any</p>	<p style="text-align: right;">44</p> <p>1 A Yes. 2 Q And that was the effective date of 3 Camber's acquiring this project? 4 A Correct. Correct. 5 Q Term date, two columns over, October 31st, 6 2014. 7 A Correct. 8 Q Correct? 9 And the supervisor column, 10 Paige/Jain/Khalil/Nallamo, and it's the same as 11 what he had on the top of Exhibit 1? 12 A Correct. 13 Q Gender, male. M for male? 14 A Correct. 15 Q R, you don't know what the type is? 16 A No. 17 Q And the description column, it says 18 "Software/Systems Architect." Do you agree or 19 disagree that that's a description of what Mr. Pai 20 was doing? 21 A Agree. 22 Q A few columns over, populated by numbers</p>

Transcript of Atif Khalil
Conducted on March 27, 2018

37 (145 to 148)

45	<p>1 A As I recall. Because a year had passed</p> <p>2 between those two events.</p> <p>3 (KHALIL Exhibit 26 was marked for</p> <p>4 identification and attached to the transcript.)</p> <p>5 A Okay.</p> <p>6 Q Is the e-mail string depicted in</p> <p>7 Exhibit 26 to your deposition one of the e-mails</p> <p>8 you've recently reviewed?</p> <p>9 A No.</p> <p>10 Q The e-mail string in Exhibit 26 is your</p> <p>11 response to another question from Deborah Whitten</p> <p>12 on January 6th, 2017. Correct?</p> <p>13 A Correct.</p> <p>14 Q We've already discussed the first question</p> <p>15 at the bottom, "Who replaced Peter Chu." Then her</p> <p>16 next question in the e-mail of 9:52 a.m. in the</p> <p>17 middle there: "Did anyone fill Pai's position</p> <p>18 temporary between his termination on 10/31/14 and</p> <p>19 when we hired Chu 4/20/15, or were we just out</p> <p>20 that position since the time they changed the</p> <p>21 skill set?"</p> <p>22 And your answer is: "No, we did not fill</p>	47	<p>1 client -- overall, we needed to maintain roughly</p> <p>2 the same budget. So depending on what's going on</p> <p>3 that week at that time, I would propose options to</p> <p>4 the client so they could accept.</p> <p>5 Q And the rates that you're talking about,</p> <p>6 again, are the rates that are billed to the</p> <p>7 client?</p> <p>8 A Correct.</p> <p>9 Q Not the money that's paid to the employee?</p> <p>10 A That's correct.</p> <p>11 Q The rates are, for example, the ISE's, the</p> <p>12 ISA's, the 2s, the 3s, so on?</p> <p>13 A So I recall proposing to raise one, like</p> <p>14 if I want to bring in a more senior person in one</p> <p>15 and bring in a more junior person in one, then</p> <p>16 they would accept that proposal. If I just keep</p> <p>17 raising and say, hey, I just want to keep going</p> <p>18 senior and senior, they would not accept it</p> <p>19 because it would mean their cost is going up.</p> <p>20 So it wasn't a very black and white, you</p> <p>21 know, one-to-one relation with these transactions.</p> <p>22 It evolved over time.</p>
46	<p>1 the position during that time."</p> <p>2 Was Camber out of that position until Chu</p> <p>3 was hired?</p> <p>4 A So based on the meeting agenda documents</p> <p>5 we've seen, Saritha was proposed as a backfill for</p> <p>6 Ashok. Now, as you see from those weekly</p> <p>7 meetings, there are a lot of personnel and</p> <p>8 staffing actions occurring week to week,</p> <p>9 resigning, departing, selection, security,</p> <p>10 on-boarding. And so I was maintaining that flow.</p> <p>11 And then we had the requisition system</p> <p>12 that Avia had where we entered the requisitions</p> <p>13 and tracked the position. So these were two</p> <p>14 separate systems. I recall that we had Peter Chu</p> <p>15 replace Ashok Pai, but just in these documents we</p> <p>16 see that to the client, Saritha was posed as the</p> <p>17 replacement. So there's clearly a disconnect.</p> <p>18 And the government, as you see from the</p> <p>19 labor categories and the rates, there was a lot of</p> <p>20 movement, so I would from time to time match up.</p> <p>21 You see some rates dropping, some rates</p> <p>22 increasing. I would have to convince the</p>	48	<p>1 Q Now, while the candidates for the Ashok</p> <p>2 backfill were being interviewed, were there</p> <p>3 operations and maintenance persons doing some of</p> <p>4 his work during that time?</p> <p>5 A So we had a team. Everybody did whatever</p> <p>6 tasks, you know, were prioritized.</p> <p>7 Q Was some of Ashok's work performed by</p> <p>8 persons whose maintenance and operations work was</p> <p>9 stopped while they were doing some of the position</p> <p>10 work that Ashok had been doing?</p> <p>11 A It wasn't clear in those terms.</p> <p>12 Q What wasn't clear?</p> <p>13 A So we always had ongoing operations and</p> <p>14 maintenance work, and we always had projects which</p> <p>15 were like enhancements and new development. And</p> <p>16 all of the work on the table, all the available</p> <p>17 resources, we were constantly struggling and</p> <p>18 prioritizing and assigning tasks to the team to</p> <p>19 make progress.</p> <p>20 MR. STERN: Let me take a very brief</p> <p>21 break. I think there's a collection of these</p> <p>22 that's already been made. So if you'll excuse me</p>

No. 179322

Re: Deposition of **Atif Khalil**

Date: 3/27/2018

Case: EEOC -v- Camber Corp.

Return to: transcripts@planetdepos.com

ACKNOWLEDGMENT OF DEPONENT

I, Atif Khalil, do hereby acknowledge that I have read and examined the foregoing testimony, and the same is a true, correct and complete transcription of the testimony given by me and any corrections appear on the attached Errata sheet signed by me.

04/20/18

(Date)



(Signature)

